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# Children First



**Summary of the Report of  
The Advisory Committee on Children's Services  
November 1990**



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# Children First

## Introduction

*Children First* presents the vision and strategies of the Advisory Committee on Children's Services to put the healthy development and well-being of children in the forefront of the public agenda of this province.

The title of the report is based on the concept of "first call" that is advanced in the United Nations Children's Fund (UNICEF) report on *State of the World's Children 1990*. The UN report makes the case that children should have first call on society's concerns and capacities, and that children should be able to depend on that commitment in good times and bad.

The Advisory Committee on Children's Services endorses the concept and presents 63 recommendations to help make "children first" a living reality. The recommendations are listed in full at the end of this summary.

The Committee was formed in 1988 by the Minister of Community and Social Services (MCSS) at the time, the Honourable John Sweeney. It was asked to consider how to make the systems that serve children and their families in Ontario more responsive to emerging needs and to develop a framework for action.

The Committee was chaired by Dr. Colin Maloney, Executive Director of the Catholic Children's Aid Society of Metropolitan Toronto. Members were chosen to represent a broad range of experience in children's issues in such fields as child welfare and family services, medicine, education, mental health services, nursing, the judicial system, native social services, psychology and professional training.

The Committee engaged in a series of consultations with experts in various fields related to child development, and invited submissions from key organizations with an interest in services to children and their families. The Committee also commissioned research to aid in its work.

The task put before the Committee focused on strategies to assist vulnerable children. Particular concern was expressed about the growing numbers of children who slip through our social safety net and end up on the streets of Ontario's major urban centres, prey to exploitation, crime and abuse. The Committee explored options for improving the supports and services



which intervene in instances where children are in difficulty, but it went beyond that to examine how to promote the healthy development of all children. If all children are assured of the opportunity to develop, support for growth, and protection from harm, there will be fewer children at risk.

### **Context**

As part of its examination of the issues, the Committee considered the new social and economic realities that are affecting children and families, and the major trends in problems of children.

The province is at a crossroads as the 1990s begin. For many years, the partnership between the traditional family, community and government was adequate to meet the needs of the majority of children. But the world of children has changed, and as it has changed, a gap has grown between the needs of children and families and the systems in place to meet those needs.

The traditional family unit – mother at home caring for children full-time and father in the workforce – is no longer the norm. Most women, including mothers of young children, have jobs, and their participation in the workforce is a necessary contribution to the financial stability of their families and to the viability of the Ontario economy. The new family arrangements of the 1990s also include a substantial increase in the number of one-parent families and blended families, with children from different marriages living in the same household.

As our society becomes more multicultural, Ontario's children are an increasingly diverse group, with different social and family traditions.

Economic factors are also having an impact on the lives of children. Among the reports which were seminal to the Committee's work, two stand out: *Transitions*, the 1988 report of the Social Assistance Review Committee (SARC) which highlighted the serious problem of child poverty among families receiving social assistance and among the working poor, and the 1987 *Ontario Child Health Study*, which documented an alarming number of children, particularly in disadvantaged families, who are likely to experience emotional and behavioural disorders.

The Committee found that problems experienced by children



and youth, such as neglect and abuse, suicide, drug use and homelessness, amount to a challenge to develop new approaches and new partnerships. Without different kinds of supports for children and the family to reflect new realities, the gap between the supports that are needed and those that are provided will continue to widen. This will occur in spite of the substantial investment Ontario has made in services for children.

### ***Entitlements of Children***

It is known that problems that occur in childhood can affect adult life detrimentally. Risk factors for poor child health include interrupted or inconsistent care from parental figures; rejection or lack of affection from parental figures; physical or sexual abuse; emotional deprivation; physical neglect; family conflict and poverty.

Vulnerable children – those who are at risk of developing significant and enduring social, emotional or behavioural problems – are more likely to be dependent on public resources, particularly through the child welfare, social assistance, correctional or mental health service systems. However, it is the Committee's view that all children are potentially vulnerable because they depend on adults to meet their basic needs.

Therefore, there must be a commitment to ensuring that all children are provided with the essentials of adequate care so that they may have the chance to realize their potential and develop into healthy, contributing members of society. The value of children must be reflected in the priorities and commitments of all participants in the public, private and voluntary sectors.

To express that value and commitment, the Committee developed a Statement of Entitlements for all children. In so doing, the Committee deliberately avoided focusing exclusively on children's rights. The debate over rights in today's environment is generally adversarial, and rights are often interpreted too narrowly to mean only rights of procedure under the law.

The Committee supports the concept of entitlements, embracing rights of substance as well as rights of procedure for children, and conveying the sense of a collective social responsibility to ensure that those rights are upheld.

## **Statement of Entitlements**

All children have fundamental entitlements to:

- Affectionate care from consistent, caring, and competent parents and other care-givers;
- Conditions of care that permit normal physical and emotional growth and development;
- Freedom from family and societal violence, physical harm, sexual molestation and exploitation, neglect, emotional harm, and abandonment;
- The support of all individuals or groups whose work and lives touch children and whose obligation it is to promote the best interests of the child;
- Necessary health care and treatment, and adequate nutrition and housing;
- Educational challenges and opportunities;
- Opportunities to participate in their own cultural communities, to profess and practise their own religions, and to use their own languages;
- Opportunities to participate in the community and society as a whole;
- Protection of the above entitlements by society as a matter of substantive as well as procedural right.

## ***Current Service Systems***

The Committee looked at the services that have been developed in Ontario to serve children. It paid particular attention to MCSS specialized services designed to address children and families with problems: child welfare services, child treatment, child and family intervention services, community support services, and services for young offenders. The Committee found these services to be under considerable stress.

The severity of the problems and the treatment needs of the children are significant. There is limited ability within the current structure of services to organize a more systemic response incorporating prevention and early intervention. Services are too fragmented, over-specialized and over-burdened. At the same time, there are serious financial restraints that require improving the effective use of limited resources.

The Committee also looked beyond these specialized services to mainstream service systems that have a significant impact on children, such as education, health, recreation and child care. It found that these systems, which represent a significant resource for helping children and families, operate mostly in isolation from one another.

The Committee concluded that existing systems are not addressing the entitlements of children adequately. What is required for substantive change is a comprehensive approach for helping children and families that takes into account the expertise and resources of all the systems involved with children. Additional resources may be needed, but this cannot be determined until current resources are more effectively deployed on behalf of children.

### **Statement of Goals**

The Committee proposes the following major goals for the transformation of the network of supports and services for children. The recommendations in the report are grouped under these four goals:

- Promoting the well-being of children and defending their entitlements must become society's highest priority.
- An equitable economic base must be created that enables families and communities to provide for the entitlements of children.
- Laws that affect children directly or indirectly must be written or amended to express and give force to their entitlements.
- Government must become the leading partner in creating a public agenda for children and in establishing an integrated framework that ensures that the entitlements of children are met through a holistic system of supports and services.



## ***Promoting Well-Being and Healthy Development***

**Goal 1: Promoting the well-being of children and defending their entitlements must become society's highest priority.**

To achieve this goal, the Committee presents recommendations which are designed to result in a system that not only identifies and provides early remediation for problems in children experiencing difficulties, disorders or disabilities, but that also emphasizes the promotion of well-being and the prevention of problems for all children.

Children will require varying levels of intensity of effort to ensure that their entitlements are met, as families will require varying degrees of support to enable them to meet their children's needs. It is often the most needy who are least likely to use services. The service system must have the flexibility to provide the level of intensity and the range of services required by a child and family, and must be able to reach out in a non-stigmatizing manner to the neediest and most marginalized children.

The challenge is a daunting one. The solutions must be broad-based; they must cut across traditional professional and jurisdictional boundaries; and they must keep the needs of the child at the centre of the planning process. There must be increased public understanding of, and participation in, the important task of meeting children's entitlements. The provincial government should engage in a major campaign to increase public awareness and support for promoting the entitlements of children.

In recommending a new service response to children's entitlements, one of the key directions adopted by the Committee involved bringing mainstream and specialized systems together to serve children and families more effectively.

### ***1. An Integrated Response through Mainstream Services***

Most children go to school; many have contact with the health system through routine visits to a family physician or a hospital or through visits by public health nurses; and a number are enrolled in the formal child care system. These mainstream services represent an opportunity to reach children before they are in difficulty. But to enable mainstream services to play a more



central role in supporting children and families, their promotion and outreach capacity must be increased.

Mainstream services, such as education, health, child care and recreation, must be linked to specialized service providers so that mental health treatment, family therapy, crisis intervention and other specialized services can be made available through the mainstream services. Mainstream services must be the pivotal point for organizing services.

The school should be a hub for coordinating a service response to children's entitlements, where possible. We have already made a start in this direction: One-third of all child care centres are based in schools, and within the child care system, there are more than 200 parent resource centres. Many school boards operate community schools which involve community members in providing a range of support services for children and families. In most communities, in most neighbourhoods, there is a school. The school building represents a major resource as a site for organizing a system of supports for children and families.

The central role of schools as a hub for promotional efforts has far-reaching implications for the way in which schools currently operate, the way in which other service providers interact with schools, and the way in which we think of using the school building as a centre for community life.

There may be some communities, perhaps in more remote rural areas, where it is not practical to use the school as the hub of children's services because it is simply too far away. In those circumstances, an alternate site must be found for drawing together providers of children's services in a single community centre.

It is vital, in the Committee's view, that children be maintained within their natural environments of home, school, and community, to the greatest degree possible. This principle is already recognized: Long-term trends in child welfare statistics indicate that Children's Aid Societies have tried to avoid out-of-home placements where possible. The school system has also made great strides in recent years in integrating children with special needs into the mainstream educational system.

In spite of this progress, resources for the difficult to serve child are still more likely to be made available on a remedial basis once the child is out of his or her normal setting. To support most

children in their normal living environment, specialized service providers will have to commit resources for crisis intervention. In addition, new skills and strategies will have to be developed and implemented. For example, teachers must receive the necessary support to enable them to maintain the child within the classroom.

A commitment to maintaining children within their families where possible requires a new way of intervening to help families through a crisis. Many of the current structures and funding mechanisms actually prevent or act as disincentives to providing service in a manner that supports the basic entitlements of children. Funding for child welfare agencies should be sufficiently flexible to allow providers to implement alternative strategies to residential placement for children.

If specialized service providers are to be adequate partners in a relationship with mainstream services, there is considerable preliminary work that must be undertaken to overcome the current problems of overlapping mandates, duplication of effort on behalf of individual children, and even counterproductive interventions. The Committee calls on MCSS to rationalize its fragmented system of services at the same time as the ministry builds links with mainstream service providers.

## ***2. Supporting Families***

Families are the cornerstone of any vision of promoting well-being and healthy development in children. Families must be supported in their task of providing stable care and nurturing. They must have ready access to services. Supporting families also requires the combined efforts of government and private enterprise so that parents are able to balance their work and child-rearing responsibilities.

The Committee recommends that models of service integration and collaboration be developed to simplify access to service and rationalize the roles of trained specialized service providers. It is important to reduce confusion for families seeking help. There is currently a bewildering array of entry points into the specialized service systems. Single entry points should be developed within communities to coordinate assessment and

service delivery, and hours of service and methods of service delivery should be more flexible.

Accessible, affordable and high quality child care is a necessity for today's working parents. The number of child care spaces in Ontario is inadequate and the quality of care provided is inconsistent. The provincial government has a responsibility to develop a comprehensive child care policy, with a timetable for the broad-scale expansion of child care facilities and other child care options for working parents and their children.

The Committee also sees a role for employers who should accommodate the competing demands of work and family responsibilities affecting their employees through such options as part-time work and job-sharing, flexible working hours and work-at-home, sick-child-leave and personal family leave.

### ***3. Prevention and Early Intervention***

Even within a universal promotion framework, there will be children who still require more intensive help to achieve or sustain healthy development. Our ability to develop and deliver prevention and early intervention services must be expanded. The early identification of risk or disorder must be undertaken more systematically than it is currently, and must be supported by high quality early intervention programs.

However, we need more knowledge about which of the problems that emerge in childhood and adolescence are most likely to lead to long-term and far-reaching problems. With this information, services can be targetted more effectively. The Committee believes that the *Better Beginnings, Better Futures* inter-ministerial initiative should provide valuable information on preventive interventions and demonstrate community models for high quality prevention programs.

An ongoing, specifically funded program of incentives for prevention must be built into Ontario's service system in order to ensure a permanent, province-wide focus on prevention. There should also be an independent program of research and demonstration projects to expand our knowledge of early problems and later dysfunction, and the relative success of intervention efforts.

#### **4. Respect for Diversity**

Services must be sensitive to the different linguistic and cultural traditions of the families of Ontario. Currently, services are not equally accessible or acceptable to everyone. Certain ethnic and socio-economic groups are under-represented in some service systems and over-represented in others. The Committee urges a strong commitment to reducing these inequities, mainly through increased community development and local planning, development of more user-friendly services and changes in the training of service providers.

The Committee recommends the provincial government provide resources for training and staffing to enable adequate implementation of the *French Language Services Act*.

Special consideration is required for isolated rural and northern communities. These areas require designated resources to develop and support community models of service delivery that overcome long distances between small population centres and the need to train indigenous workers.

The provincial government has a special trust and unique relationship with native people in Ontario. The needs of native communities are substantial. Every social indicator affirms that native people are the most disadvantaged population in this country. Any transformation of systems which will have impact on native people must take into account the need to improve basic social and economic opportunities and must incorporate community development.

Government and native communities should develop native-specific models of service delivery that meet the unique needs of native children. These efforts will eventually involve transfer of management of children's services to local native organizations and agencies. The Committee supports development of tripartite working groups to maximize the involvement of native people in determination of policy, research and program planning. Federal-provincial cost-sharing arrangements for services for native children should be reviewed and modified to support the delivery of promotional and prevention services within native communities, provided by native organizations.



## ***5. Developmental Context for Promoting Well-Being***

Children's entitlements must be interpreted according to the changing needs of children as they grow. In highlighting specific service needs unique to particular age groups, the Committee discusses issues related to preparenting, prenatal care, infancy, pre-school years, early school years, adolescence and the transition to adulthood.

The report advocates improved education and birth control to reduce adolescent pregnancy, and improved prenatal care, parent training and child care support to help young parents cope with their new responsibilities. It proposes expansion of prenatal services, particularly outreach services by public health units, and establishment of a province-wide network of well-baby services. The range of child care options, including extended paid parental leave, shareable by both parents, should be expanded and improved. Child care facilities should be located in school buildings, wherever possible.

The Committee urges the provincial government, in conjunction with school boards and other service providers, to institute year-round programming for children in their communities. Children should be supervised within the school building year-round and round-the-clock to accommodate the realities of working parents. This may entail some changes in school programming, such as sessional programs, extended school days and full-day kindergartens, and improved links with child care and recreational services.

The report also discusses the need to improve early detection of emerging problems in children and to provide high quality intervention and treatment services that are available within the normal home and school settings. Protection services must be able to intervene quickly in cases where a child's entitlement to freedom from harm is in jeopardy.

Adolescence and the transitional years leading up to adulthood are a time when youth continue to need supervision, support, guidance and protection from harm as they continue their development. The Committee's focus is crisis intervention and family preservation strategies to increase the probability that adolescents

can have their needs met within their normal home, school and community.

Schools, parents and child welfare agencies no longer are legally responsible for youth over the age of 16. Sometimes the young person is cut off from support at a time when it is needed most. Young people between the ages of 16 and 18 must have the right to request and receive protection from child welfare agencies, and agencies must be mandated to respond.

### ***Building an Economic Base for Children***

**Goal 2: An equitable economic base must be created that enables families and communities to provide for the entitlements of children.**

The Committee recognizes that changes to services alone will not be able to address fundamental problems that stem from poverty. Economic factors have in large part placed the systems that care for children under enormous stress and have driven families, employers and unions, service providers and governments, to search for new options. Families, especially young families, are having increasing difficulties meeting the needs of their children in today's economic climate.

While the percentage of families living below the poverty line has declined since the recession of the early 1980s, there has not been a significant decline in the actual numbers of children living in poverty. And as the 1990s begin, we face another recession. We must deal explicitly with the declining socio-economic status of families and young people.

#### ***1. Poverty***

The Committee urges the provincial government to take the initiative in dealing with economic problems, and develop a firm timeframe for the elimination of child and family poverty in Ontario. The future prosperity of our society is inextricably linked to the healthy development of all Ontario's children. Strategies are required to promote economic growth, to create jobs and expand training opportunities, and to ensure that parents and

young people have sufficient monetary resources to support themselves and their families.

Income transfers in the form of tax credits and deductions, and direct benefits such as the federal family allowance, have proved to be an effective and non-stigmatizing way of putting dollars in the hands of families. Many groups across the political spectrum argue that income transfer programs are still the best way to address child poverty and the stress on poor families.

The report strongly backs the economic recommendations of the SARC report, *Transitions*, specifically as they pertain to children and families.

The report endorses specific SARC recommendations on improving social assistance benefit levels and structures and shelter subsidies. It makes particular reference to the need to change eligibility requirements affecting 16 to 20 year-old youth living at home. The Committee also supports the opportunity planning system advocated by SARC.

The SARC proposals affect not only social assistance recipients, but also the working poor. The Committee urges the provincial government to negotiate with the federal government the design and implementation of a universal income program for children based on the minimum costs of raising children. This program could be based on the existing family allowance program and incorporate other federal and provincial income supplement programs.

The Committee also asks the provincial government to consider implementing an Ontario supplementary child benefit program for children in families below the provincial median income level.

The provincial government should immediately review the tax system in Ontario to assess its impact on families and take action to create a more equitable system. The Committee asks that Ontario take the lead in promoting tax reform at the federal level.

In the interim period before a national children's benefit can be implemented, Ontario should press the federal government to restore full indexation of family allowances. The net income threshold of \$50,000 for a "clawback" on family allowances is being eroded by inflation at the rate of three per cent a year, affecting more and more middle-income families as the threshold

falls. The Committee supports full indexation of the refundable child tax credit, and abolition of the non-refundable child tax credit. Cancelling the non-refundable program will free up dollars that should be used to augment the refundable child tax credit.

Upon implementation of social assistance reform, the provincial government should integrate income support, including emergency, funding for children and families, with other service areas to ensure that the system can help families experiencing financial hardship.

## ***2. Child Support***

The Committee also makes recommendations on improving provision for child support when families break up. Too often, separation and divorce result in children living at a diminished standard of living. Children are entitled to the standard of living that they would have enjoyed had their parents not separated. Some courts follow this principle, but others do not. There should be a fixed schedule of support payments, fully indexed to the cost of living, to guide the determination of child support obligations.

Established court schedules must go hand-in-hand with strong enforcement mechanisms. A recent survey found that 60 per cent of non-custodial parents were not contributing anything to child support after the first year. The existing Support and Custody Order Enforcement program should be strengthened to effectively provide a guaranteed income to children and families in all instances where the supporting parent refuses or is unable to meet court-ordered support obligations.

The provincial and federal governments should amend personal income tax regulations that require custodial parents to pay tax on child support payments.

## ***3. Expanding Opportunities***

The Committee was particularly concerned about the youth labour market and the need to improve training opportunities to ensure that young people have the skills to get and keep a good job.



To provide greater protection for young people in the labour market, the report calls for a review of minimum wage rates and working conditions and benefits for part-time workers. Training opportunities should be made available to young people through expanded cooperative education and apprenticeship programs, accompanied by adequate financial supports to enable disadvantaged youth to participate. The report proposes that the government offer incentives to employers to increase their investment in training.

The economic and social health of communities across Ontario is also part of any effort to improve the economic security of children and families. The Committee supports participation by communities in social and economic planning. Specifically, the provincial government should require that organizations applying for funding incorporate a community development component into their operations.

### ***New Directions for Children's Legislation***

**Goal 3: Laws that affect children directly or indirectly must be written or amended to express and give force to their entitlements.**

Provincial legislation can shape the ways in which members of our society carry out their responsibilities in securing the entitlements of children. Legislation has the power to create a climate for change or to exacerbate existing problems. The government must lay the groundwork for the provision of children's entitlements through legislative action.

The Committee's examination of the legislation governing children's services in Ontario led to some serious concerns. An underlying commitment to children's entitlements is lacking; there are inconsistencies throughout the body of legislation which entrench boundaries between the services intended to support children and families; and the fragmented nature of the court system limits the capacity of the judiciary to rule in the "best interests of the child".

The report recommends that the entitlements of children be incorporated in all existing and new legislation and policy that directly or indirectly affect the lives of children. It urges the

provincial government to ratify the principles embodied in the United Nations *Convention on the Rights of the Child* and to ask the federal government to do so also.

The Committee addresses legislative inconsistencies with regard to the tests and standards against which judges evaluate the needs of the child and possible solutions in a given case; age of consent; qualification for services and programs; and the right to judicial interview, review or hearing. The Committee highlights a number of specific concerns in different pieces of legislation directly affecting children, most notably the *Child and Family Services Act (CFSA)*.

All existing legislation should be reviewed and, if necessary, amended to confirm that the “best interests of the child” is the predominant test to which a child is entitled at every stage or contact with any court or mandatory service.

Government must also establish a primary guiding principle in legislation, notably in the *CFSA*, that children should be served in their “familiar” community – family, school and neighbourhood – where this is consistent with their best interests. This should help to ensure consistency of caring relationships for children and minimize unnecessary and often traumatic disruptions when children are removed from familiar surroundings for treatment or protection. It should also encourage the network of supports and services to expand its capacity and sensitivity to the individual needs of children.

The Committee is concerned that young people between the ages of 16 and 18 are particularly at risk of being arbitrarily withdrawn from programs offering social supports and services because of their age. Flexible criteria are needed to ensure the best interests of children are protected. The termination of crown wardship at age 16 is an example. Age criteria affecting this and other issues, such as access to therapeutic assessment, should be critically evaluated in all relevant legislation.

There have been instances when the Family Court has been unable to intervene in the best interests of the child because of perceived legislative constraints in the *CFSA*. The Committee supports creation of a Unified Family Court at the superior level to ensure that the judiciary has the authority to ensure children’s entitlements are met. Currently, for example, a Family Court judge cannot challenge the authority of a Children’s Aid Society

to place or transfer one of its wards to or from a particular setting, unless there has been a clear abuse of statutory authority. Through a Unified Family Court, the judge would have an overriding authority to assess whether the placement was in the best interests of the child and order that alternatives be found to serve a child in his or her own family or community.

A Unified Family Court should hear all cases concerning the welfare of children. This would mean, for example, that Unified Family Court judges would preside over criminal cases dealing with child abuse and neglect.

The Committee has serious concerns about the way the system for young offenders is working. There is a backlog of demand for access to treatment programs. The Ontario diversion program, which allows offenders to perform alternative measures such as community service work instead of going through regular court proceedings, is limited. The division of authority for service provision between MCSS (offenders aged 12 to 15) and the Ministry of Correctional Services (16 and 17-year-olds) creates anomalies in the way young people are housed and served.

The young offender system should be integrated judicially, administratively and philosophically. The *CFSA* should be amended to include all children aged 12 through 17, and the responsibility for 16 and 17-year-old offenders should be transferred from the Ministry of Correctional Services to MCSS. The provincial government must also develop a full-fledged program of alternative measures as provided under the *Young Offenders Act* (YOA).

The Committee also urges the province to ask the federal government to amend the *YOA* to provide a better balance between the rights of the individual to refuse invasive treatment and the rights of the community to protection.

Federal government action is also required to amend the *Criminal Code* to prohibit anyone, including parents and teachers, from using corporal punishment upon children.

## ***An Integrated Framework for a Children's System***

**Goal 4:** Government must become the leading partner in creating a public agenda for children and in establishing an integrated framework that ensures that the entitlements of children are met through a holistic system of supports and services.

The system we now have for serving children is made up of several provincial ministries, hundreds of local authorities and over a thousand agencies. They all have their own mandates, catchment areas, resources and accountabilities. Providers of services, whether they are branches of provincial ministries or voluntary-sector agencies or local governments, endeavour to meet their own responsibilities – their own agendas. But there is no governing framework to pull the network together. There is no real system for children.

We must create a children's system that has a shared vision of children's entitlements. We must establish mechanisms to put the vision into practice. The purpose of unifying the system is not simply to promote administrative convenience. It is to allow us to approach solutions differently. The recommendations that the Committee has put forward in this report require a system that is able to respond in a systematic way to the entitlements of children. If the system continues to operate as a series of disconnected parts, it is unlikely we will be able to break out of our old ways of looking at children's services.

Ontario must establish a new public agenda for children – an action plan that places the entitlements of children front and centre – and a framework that will cause changes to occur. The government should not be solely responsible for implementing the new agenda, but it must set the direction and maintain the momentum for change in the system. Creating this new, cohesive system will require the participation of all the partners, including parents, service providers and others, as well as strong leadership from the provincial government.

There is an opportunity in today's environment to make some important changes in how we approach supports and services for children. New partnerships are being formed at the ministerial



level and in communities. There is a growing capability, through information technology, to link services and systems.

The Committee is convinced that trying to foster voluntary collaborative measures or to coordinate disparate systems that have different objectives and accountabilities will fail to meet our paramount concern of meeting the entitlements of children. Voluntary collaboration, while worthwhile, will not necessarily succeed in the long run because it is subject to the interests of those involved in continuing a cooperative relationship. Coordination efforts that attempt to bridge service systems have historically run into obstacles of protected turfs, conflicting values and confused accountabilities.

There must be a single children's authority in the provincial government that integrates responsibility for all major legislation, strategic planning, policy and program development and funding of services for children. Complementing this body at the local level, there must be children's authorities that are accountable to their communities and the provincial government for planning and managing a children's system.

This kind of fundamental change will involve a reorganization in the provincial government to integrate administration of children's services within a single authority, and it will involve creation of new structures for planning and systems management at the local level. It will require legislative change and a rethinking of traditional mandates. The new structures should be built on the expertise and experience inherent in existing organizations, but they must represent a fresh start, with a clear mandate and direction for change. They must also reflect a sharing of responsibilities between the provincial government and local communities.

### ***1. A Provincial Children's Authority***

The new provincial authority should integrate responsibilities and staff involved in services to children in five ministries: MCSS, Education, Correctional Services, Health and Tourism and Recreation.

MCSS and the Ministry of Health have already begun to integrate some of their functions for elderly persons and persons with disabilities under a long-term care strategy. A children's

authority will take their relationship a step further by integrating their children's services as well. It is important that the Ministry of Education be part of the new authority because of the close affinity between education and child development. Schools are an ideal hub for a range of services for children. In addition, young offender services, now in Correctional Services, should be brought into the authority, along with recreational programs for children.

The Committee considered alternatives to integration, such as a children's directorate or an inter-ministerial body to coordinate children's services. But these options only provide the ability to influence government policy, not to implement. In the Committee's view, it is essential to have a children's authority that can implement change, that has responsibility for funding, and that has political weight within the government. There must be a Minister for Children speaking in cabinet on behalf of children's entitlements who is able to bring proposals to reality through an authority that has the mandate and resources to make things happen.

## ***2. Local Children's Authorities***

The other necessary part of an integrated framework is a children's authority at the local level which brings together a system of social, educational, correctional, health and recreational services for children. This involves five ministry jurisdictions, and a complex array of managers, planners and funders at the local level. It involves another level of government – municipalities and schools boards that are locally elected and funded through local property taxes, as well as provincial grants.

It is important, in the Committee's view, to devolve authority for more children's services from the provincial to the local level. A local authority will promote community involvement in, and ownership of, children's issues, and it will encourage participation among parents and other partners in planning how best to meet for children's entitlements.

The local children's authority will be accountable to its local electorate through the ballot box; it will be governed by provincial statutes and the policies of the provincial children's authority. There must be an accountability structure governing the authority's

relationship to the provincial government and to the community it serves.

The report does not explore all the implementation issues related to establishing these local authorities. It notes that these authorities will require a redefining of the mandate of school boards because the new authorities will have planning, systems management and resource allocation responsibilities that include, but extend beyond, the school system to social, health, correctional and recreational services for children.

The report makes a point of recommending that creation of these new authorities should not result in an increased burden on local taxpayers. The Committee also notes that these new authorities should not assume direct service provision responsibilities for all children's services.

### ***3. Interim Steps***

There will be considerable developmental work required to implement these changes. The report proposes creation of an interim Ontario Council for Children, consisting of Deputy Ministers from the relevant ministries, chaired by the Secretary of Cabinet and reporting directly to the Premier. The Council will be charged with the task of implementing the children's agenda and getting the new children's system up and running.

One of the responsibilities of the Council will be to appoint members of local interim Councils to carry out local planning for the establishment of new children's authorities. These local councils will also plan strategies for meeting the entitlements of children in an integrated and holistic way.

Other key responsibilities of the provincial Council for Children include: planning implementation of the new provincial authority, including all necessary legislative, administrative and policy changes; coordinating ministerial activities in the period leading up to the creation of the new provincial authority, including integration of children's services within ministries; planning for the new local authorities; developing an accountability structure and an equitable and adequate funding formula for services to children; resolving cost-sharing issues with local government and developing a mechanism to ensure local taxpayers are not

forced to assume financial responsibility for children's services that are now provincially funded; and ensuring development of a comprehensive information base for planning services for children.

The Ontario Council for Children should be given the responsibility of overseeing implementation of those aspects of the report accepted by the the government.

The provincial and local councils will be phased out when the new authorities are in place. There should also be a permanent Ontario Children's Advisory Committee, with members appointed from outside government, to advise the Premier on how children's entitlements are being met. The Committee will focus attention on, and foster public awareness of, children's issues and help sustain the partnership among all those whose lives touch children.

### ***Conclusion***

We cannot turn our backs on our children. We must rally our efforts and resources to protect and nourish those who represent the future of society.

The time has come when what is morally right for children is also imperative, both economically and socially, for the continued viability of society as a whole. The cycle of disadvantage that children experience in the 1990s will inevitably have a profound impact on future economic productivity and social stability.

The care of children is a responsibility that falls first upon parents, and then upon all of us. It is in this spirit that the Committee presents its vision for Ontario's children.



## **Vision Statement**

We envision an Ontario in which children are valued as society's most important trust. In this society, upholding and safeguarding children's basic entitlements – opportunity to develop, support for growth and protection from harm – are understood not only as a responsibility but as a privilege recognized and shared by all men and women.

We see the care of children as a partnership where parents are supported in their efforts to raise children by others whose lives touch children. All members of the community promote healthy development of children and respond to children in difficulties. Consequently, formal systems and informal care-givers join together to create an accessible, integrated, and flexible network of services for children.

We envision an Ontario in which all people foster the well-being and entitlements of children.

## Recommendations

**Goal 1: Promoting the well-being of children and defending their entitlements must become society's highest priority.**

The provincial government should engage in a campaign, of the magnitude of Participaction, to increase public awareness and support for promoting the entitlements of children.

Mainstream services, including schools, public health units, recreation services, and child care, should become the pivotal point for organizing a service response to the entitlements of children. Specialized services must organize their activities in relation to these mainstream services, through formalized linkages.

Children should be maintained within their natural environments of home, school, and community, to the greatest degree possible. This will require that the specialized services commit resources for crisis intervention, and that new skills and strategies be developed and implemented to support children in their normal settings.

The Ministry of Community and Social Services must rationalize its fragmented system of services at the same time as it builds links with mainstream service providers.

The provincial government should promote models of service integration and collaboration that simplify access to service and rationalize the roles of our limited resource of trained specialized service providers.

There must be a single major physical centre that operates as a hub of services for children within each community. Where possible, the school should be this centre for service provision.

Accessibility of specialized services must be improved through the development of single entry points within communities that can coordinate assessment and service delivery. Accessibility must also be improved by increased flexibility in hours of service and methods of service delivery.

The provincial government should develop a comprehensive child care policy with a timetable for the broad-scale expansion of child care facilities, as well as other child care options for working parents and their children.

Employers should accommodate the competing demands of workers with family responsibilities by easing the time strain of employment hours wherever possible, through the implementation of such options as part-time work or job-sharing; flextime and working at home; and sick-child-care leave and personal family leave.

An independent program of research and demonstration projects must be funded to provide information about early problems and later dysfunction as well as evaluative information about the success of intervention efforts. In conjunction with the development of a comprehensive data base, such research will permit the targeting of effective interventions for children.

Child welfare agencies must have the funding flexibility to implement alternative strategies to residential placement.

All service providers should work directly with community members to create accessible and responsive services that address the unique cultural, ethnic, racial, religious, linguistic, and regional diversity of Ontario's population. This will require greater representation of minority groups on agency boards of directors.

The provincial government should provide resources for training and staffing to enable adequate implementation of the *French Language Services Act*.

Designated resources must be provided to promote natural helping networks and to train indigenous workers in isolated rural and northern communities in order to develop and support community models of service delivery.

Government and native communities should increase their common efforts to develop models of service delivery that are native specific and that address the unique needs of native children. This will eventually involve transfer of management of children's services to local native organizations and agencies.

The provincial government, in concert with the federal government, should develop processes and establish working groups to maximize the involvement of native people in the determination of policy, in research, and in program planning.

The federal-provincial cost-sharing arrangements for services for native children should be reviewed and modified to support the delivery of promotional and preventive services within native communities, provided by native organizations.

Substantial efforts must be undertaken through education and improved birth control to reduce adolescent pregnancy.

The parenting capacity of adolescents must be enhanced through improved prenatal care, parent training, and adequate day care to allow the adolescent to pursue school or work options.

Prenatal services should be expanded and the outreach capacity of public health units should be enhanced to ensure that all pregnant women have access to high-quality prenatal care.

The province should establish a province-wide network of well-baby services, which would include public health nurses with an expanded outreach and support role, family resource centres, and self-help networks. Incentives for using such services should be considered.

A range of child care options must be made available to parents during their children's infancy, including extended (12 to 18 months) paid parental leave, shareable by both parents.

Child care facilities should be located within communities, and within the local school building wherever possible.

The provincial government, in conjunction with local school boards and schools, and with other service providers, must institute year-round programming for children in their communities.

Service providers must increase their capacity for the early detection of emerging problems. High-quality intervention and treatment services should be available within the normal home and school settings as soon as problems are detected.

When a child's entitlement to freedom from harm is in jeopardy, protection services must be able to respond quickly and with appropriate intensity to restore safety for the child.



Service providers must utilize their resources for crisis intervention and family preservation strategies to enhance their ability to keep children within their families where possible.

Youths between the ages of 16 and 18 must have the right to request protection, and child welfare agencies must be mandated to respond.

**Goal 2: An equitable economic base must be created that enables families and communities to provide for the entitlements of children.**

The provincial government must move to implement the recommendations of the Social Assistance Review Committee report, specifically as they pertain to children and their families.

The provincial government should negotiate with the federal government to design and implement a universal income program for children based on the minimum costs of raising children.

The provincial government should implement a provincial supplementary child benefit program for children in families below the provincial median income level.

The provincial government must immediately review the tax system in Ontario in order to assess its impact on families and must take steps to create a more equitable system. The government should also urge the federal government to restore full indexation of family allowances and the refundable child tax credit and to abolish the non-refundable children's credit as part of federal efforts to achieve greater equity in the tax system.

The provincial government must move to integrate income support, including emergency funding for children and their families in temporary need of financial support, with other service areas so as to serve children and their families in a more integrated way.

The provincial government must develop a firm timeframe for the elimination of child and family poverty in Ontario.

The provincial government must establish a fixed schedule of support payments to guide the determination of child support

obligations. This schedule should seek to ensure that children are able to enjoy the standard of living that they would have had if their parents had not separated. The schedule must be fully indexed to the cost of living.

The provincial government must strengthen and expand the capacity of the public maintenance advance system in order to provide a minimum guaranteed income to children and their families in all instances where the supporting parent either refuses or is unable to meet court-ordered support obligations.

The provincial government must amend personal income tax regulations that require custodial parents to pay tax upon child support payments to remove the burden of double taxation upon the parent; and it should urge the federal government to take similar action.

The provincial government must work to consolidate supports and services to transitional-age youth, including financial assistance, bridging interministerial and intergovernmental program barriers.

The provincial government must review minimum wage rates, the availability of benefits, and the working conditions of part-time labour in order to legislate greater protections for young people in the labour market.

The provincial government, in conjunction with local community representatives, must expand cooperative education and apprenticeship programs for youth and establish support programs for these students that would include financial assistance and housing where necessary.

The provincial government must encourage employers and labour organizations to invest in young people by increasing training opportunities and supporting community economic development through financial incentives and other measures.

The provincial government, in conjunction with community representatives, must develop and strengthen the capacity of communities to participate effectively in social and economic planning and in management of activities at both the provincial and local levels.

The provincial government must require that organizations that receive government funding incorporate a community development component into the structure of their support or service. Where there is no direct funding relationship, the government should provide incentives to other representatives of the community to support community development initiatives.

**Goal 3: Laws that affect children directly or indirectly must be written or amended to express and give force to their entitlements.**

The entitlements of children must be incorporated in all existing and new legislation and also in policy that directly or indirectly affects the lives of children.

The provincial government must immediately ratify the principles embodied in the United Nations *Convention on the Rights of the Child* and should urge the federal government of Canada to do so also.

All relevant legislation should be amended to reconfirm that “the best interests of the child” constitute the predominant test to which the child is entitled at every stage of contact with the courts or mandatory services.

Legislation involving the placement of children, notably the *CFSA*, must be amended to require a primary guiding principle of consistency of caring relationships within the child’s “familiar” community, where consistent with the best interests of the child.

All legislation affecting children and their families should be critically evaluated in order to establish legislative consistency with regard to age, access to judicial review, legal counsel, therapeutic assessment, and the entitlement to participate in reviews determining their benefits or liberties.

The provincial government should create a Unified Family Court at the superior level, where each judge will be vested with broad powers and discretion to rule in the best interests of the child at all times.

The young offenders system in Ontario should be integrated judicially, administratively, and philosophically. The provincial government should amend the *Child and Family Services Act* to include all children aged 12 through 17 in Part IV dealing with young offenders. Responsibility for 16- and 17-year-old offenders should be transferred from the Ministry of Correctional Services to the Ministry of Community and Social Services.

The provincial government must make a commitment to develop a full-fledged program of alternative measures as provided under the *Young Offenders Act*.

The provincial government must amend the *Provincial Offences Act* to incorporate provisions for diversion programs for young people similar to provisions in the *Young Offenders Act*.

The provincial government should request the federal government to amend Section 22 of the *Young Offenders Act* to provide a better balance between the rights of the individual to refuse invasive treatment and the rights of the community to protection.

The provincial government must re-examine bail directives for young offenders to ensure that the test of connection to the community is not more stringent than the one applied to adults.

The provincial government should press the federal government to amend Section 43 of the *Criminal Code* to prohibit anyone, including parents and teachers, from using corporal punishment upon children.

The provincial government must immediately establish a truancy philosophy and enact appropriate legislation embodying the entitlements of children in order to ensure continuity of care for children within their “familiar” communities.

**Goal 4: Government must become the leading partner in creating a public agenda for children and in establishing an integrated framework that ensures that the entitlements of children are met through a holistic system of supports and services.**

The provincial government, in partnership with parents, service providers, and others whose lives touch children, must develop



a public agenda to ensure that the entitlements of children are met. The agenda will guide future legislative, planning, and policy development in all ministries that have a direct or indirect influence on supports and services to children.

The provincial government must establish a provincial children's authority that integrates responsibility for all major legislation, strategic planning, policy and program development, and funding of services for children. This body must incorporate, at a minimum, ministerial responsibilities for children now lodged in the Ministries of Community and Social Services, Education, Correctional Services, Health, and Tourism and Recreation.

The provincial government must establish locally elected children's authorities that have responsibility for planning, systems management, and resource allocation for social, educational, correctional, health, and recreational services for children within their areas of jurisdiction. These authorities must be accountable to the provincial children's authority and to their communities.

The provincial government must establish an interim Council for Children, with representation at the level of Deputy Ministers, to develop and implement policies and programs in the public agenda for children. The Council, chaired by the Secretary of Cabinet and reporting to the Premier, should include among its duties:

- planning implementation of the new provincial children's authority, including all necessary legislative, administrative, and policy changes;
- coordinating ministerial activities in the period leading up to creation of the new provincial authority, including integration of children's services within ministries;
- planning for locally elected children's authorities, including all necessary legislative, administrative, and policy changes;
- appointing interim local councils to carry out local planning;
- developing an accountability structure for the new authorities;

- developing an equitable and adequate funding formula for services to children;
- resolving cost-sharing issues with local government and developing a mechanism that will ensure that local taxpayers are not forced to assume financial responsibility for children's services that are now provincially funded;
- ensuring development of a comprehensive information base for planning services for children.

Interim local children's councils must be appointed across Ontario, with broad community representation, and a mandate to:

- plan local strategies for meeting the entitlements of children in an integrated and holistic way, in accordance with the public agenda for children in Ontario;
- plan for the establishment of local children's authorities and provide advice to the interim provincial Council on Children;
- identify options for integration or coordination of planning and system management responsibilities within and among ministries at the area office level;
- encourage greater integration of services through initiatives funding.

The provincial government must establish as soon as possible an Ontario Children's Advisory Committee, with its members appointed from outside government, to advise the Premier and produce an annual report to the Legislature on how children's entitlements are being met. The Committee will serve to focus attention on, and foster public awareness of, children's issues and help sustain the partnership among all those whose lives touch children.

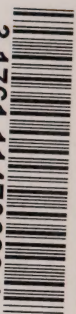
The Ontario Council for Children should be given the responsibility of overseeing implementation of those aspects of the report accepted by the government.

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